

### **III. Remarks**

#### **A. Background**

The following is intended to provide the Examiner a short background on the invention. This background does not intend to, nor have the effect of, defining the meaning of particular claim terms. The background discusses certain aspects disclosed in the specification but not specifically recited in the pending claims.

The invention is generally directed to providing data objects (e.g., “phonepages”) (e.g., with visual and/or audio content) which are rendered to a calling A-party or a called B-party in connection with a telephone connection. The present invention allows a calling A-party to control the distribution of his/her phone pages to a called B-party. Particularly, the B-party does not have access to the A-party’s phonepage unless the A-party has sought to access the B-party’s phone page. Further, in some claimed embodiments, the data objects or phonepages are accessed without using CLI (caller line identification, or caller ID) information.

#### **B. Claim Amendment**

Applicant has amended claim 13 to address the informality noted by the Examiner. No other claim amendment is made because Applicant believes that the claimed inventions are clearly patentable over the cited art.

#### **C. The Rejections**

The Examiner has rejected the claims under § 103 based on U.S. Pat. No. 5,946,684 (“Lund”) combined with U.S. Pat. No. 6,744,759 (“Sidhu”).

As explained during the interview, Lund teaches the basic approach to phonepages where a phonepage can be accessed by the called B-party using the CLI information provided by the calling A-party. See Lund's Figures 5 and 6.

Lund does not remotely teach or suggest the conditional feature of Applicants' independent claims (Claims 1 and 4) that the called B-party is able to access the data objects or phonepages of the A-party only if the A-party has attempted to access the B-party's data objects or phonepages. This conditional feature that gives a calling party some control over the dissemination of his/her phonepages is completely absent from Lund. Lund is simply not concerned with such issues, so it is completely devoid of disclosure or motivation for this claim feature. The Examiner appears to agree because the Office Action did not cite to Lund for this feature.

Also as explained during the interview, Sidhu is not very relevant to the claims at all. Sidhu teaches a communications system including telephones communicating through access networks, and where each phone is coupled to a PDA type device. See Sidhu, Figure 1, phone 108a coupled to PDA 110a. The PDAs can also communicate through the data networks. Sidhu does not appear to relate to phonepages whatsoever, much less does it relate to phonepages provided on the conditional basis as set forth in the claimed invention.

The Examiner refers to Sidhu, Col. 9, lines 59-65 as showing a request by a second device for a data object of the first device. However, this passage just refers to a first device attempting to set up a call with a second device. There is no reference to shared data objects or phonepages, and no reference to such data items being provided on a

conditional basis as set forth in the claims. The Examiner also refers to Sidhu, Col. 5, lines 56-67 as showing the second device receiving the data object/phonepage of the first device. However, this passage simply refers to a user entering personal attribute information into his/her PALM device 110a. The passage does not relate to or refer to data objects/phone pages whatsoever, much less a data object of a first device being rendered at a second device. The Examiner also refers to Sidhu, Col. 11, lines 8-24, as showing the second device receiving a data object/phone page associated with the first device. However, this passage merely refers to the PDA 110a setting up service features with a service provider. It does not relate to the rendering of data objects between a first communication device and a second communication device at all.

Finally, as pointed out during the interview, several of the claims (Claims 3, 9) relate to data objects or phone pages that are provided without using CLI data to access them. As explained above, Lund teaches the very opposite. Lund requires CLI (caller ID) data to access the phonepages. See Lund, Figures 5-6.

Other dependent claims have additional features not suggested whatsoever by the applied art.

#### **IV. Conclusion**

Applicant respectfully submits that the application is in condition for allowance and respectfully requests a notice of allowance for the pending claims. Should the Examiner determine that any further action is necessary to place this application in condition for allowance, the Examiner is kindly requested and encouraged to telephone Applicant's undersigned representative at the number listed below.

This response to the Office Action is being filed before the expiration of three (3) months from the date of the Office Action. Therefore, it is believed that no extension fees are required. If any additional fees are deemed necessary, Applicant hereby provides authorization to charge such fees against deposit account 50-0206. If any refunds are due, Applicant hereby provides authorization to credit such refunds against the deposit account.

Respectfully submitted,



---

Stephen T. Schreiner  
Reg. No. 43,097

Date: **July 30, 2004**  
Hunton & Williams (Phone: 202-955-1500)  
1900 K Street, N.W.  
Washington, D.C. 20006-1109